

SANTA FE NEW MEXICAN

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OFFICIAL PAPER OF SANTA FE COUNTY.

The New Mexican is the oldest newspaper in New Mexico. It is sent to every postoffice in the Territory, and has a large and growing circulation among the intelligent and progressive people of the Southwest.

RAILWAY RATE REGULATION.

It is very likely that the constitutional convention will be asked to act on a proposition to create a railroad commission, which has become a statutory adjunct in a number of states. The following on Rate Regulation in Great Britain, from the New York Journal of Commerce is therefore of local interest:

"Chafing under the deliberate methods of the interstate commerce commission in dealing with the question of railroad rates, our merchants and manufacturers have the dubious satisfaction of knowing that the problem is not handled more expeditiously in other countries. That is to say, when the railroads are not government property, the regulation of their charge by government authority is a very deliberate process indeed. Where railroad management is a government function, there is no delay in establishing rates, but there is also no appeal. In England where government ownership is at least as far off as it is with ourselves, the fixing of railroad rates is recognized as a strictly legislative function, and as such it is exercised by Parliament itself and not otherwise. No provision was made in England for fixing the rates of railroads except the provisions which were in the charters of the various railway companies, until the adoption of the railway and canal traffic act of 1888. What was known as the railway clauses act of 1845 was passed for the purpose of insuring fair dealing upon the part of the railways with individuals. Thus, long before public opinion here had demanded equality of treatment for shippers, the English law provided that railroad tolls should be at all times charged equally to all persons, and after the same rate, whether per ton, per mile or otherwise, in respect of all passengers and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of railway, under the same circumstances and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favor of or against any particular company or person traveling upon or using the railway." The Cardwell act of 1854 was passed to prevent undue preferences and to compel interchange of traffic, so that a great railway company could not make traffic arrangements with any other railway or canal company of a special and exclusive character. As early as the passage of this act, a former chief justice of the court of common pleas said in Parliament that he felt himself incompetent to try a railway case which involved the question of railway charges, and he then urged the organization of a special tribunal for the purpose of examining and trying such questions.

"It was in 1872 that the joint committee of Parliament recommended the organization of a railway commission which, as constituted, became a court with all the powers of a court. That is, the railway and canal commission of Great Britain consists of two appointed and three ex-officio commissioners, and is a court of record. The appointed commissioners assume office on the recommendation of the president of the board of trade, hold office during good behavior, and one of their number must be a man of experience in railway business. The three ex-officio commissioners must be judges of the superior court, one being nominated for England by the Lord Chancellor; one for Scotland by the Lord President of the court of sessions, and one for Ireland by the Lord Chancellor of Ireland, such assignments being made for periods of not less than five years. Not less than three commissioners must attend the hearing of any case, the ex-officio commissioner presiding, and his opinion upon any question which is the opinion of the commissioners is a question of law, necessarily prevails. The main jurisdiction of the railway and canal commission is to hear and determine complaints of contraventions of the railway regulation acts. It may also exercise certain powers of arbitration, and its approval is required to certain agreements between railways or railways and canals. It has also authority to order through rates under certain restrictions provided by law, and it may, when a railway owns a canal order changes in canal rates when necessary to prevent the diversion of traffic from the canal to the railway controlling it. But the commission does not originate complaints; it does not proceed upon its own motion; it is not charged with the duty of enquiring into the management of railways; it has no administrative supervision of any of the details of railway operations; it is not charged with the duty of detecting violations of the law or of bringing about prosecutions for such violations; its duty is to hear the complaint duly brought before it by some proper complainant and to determine what, if any, relief is proper under the law.

"By the railway and canal traffic act of 1888 an extremely careful procedure was provided for revising the rates of carriers through the instrumentality of the board of trade. By that act the carriers were required to

transmit to the board classifications and schedules of maximum rates. The railways were to advertise in the newspapers and by posting notices at their passenger stations, the fact of having so transmitted their schedules and classifications to the board of trade. Thereupon the board was to hear all parties whom they considered entitled to be heard, and then if the board agreed with the railways upon the proposed schedules, schedules so agreed upon, or in the event of inability to agree, schedules prepared by the board, were to be transmitted to Parliament, and the board was to procure a bill to be brought in for confirming such order. If any objections were made to the bill, it had to be referred either to a select committee of the House in which it had been introduced, or to a joint committee of the two Houses, so that an opportunity might be given for a hearing. Only when an act had been passed, in pursuance of this procedure, confirming a provisional order, could the rates so designated become binding upon the railways. When the United States senate committee was engaged in the investigation which furnished the basis for the interstate commerce law, a question was asked of Mr. Simon Sterne as to the reasonableness of the rates then charged by railway corporations for local and through traffic. His answer was that if by reasonable it was meant whether rates were low or high, the reasonableness of the rate had but very little to do with the question of high or low rates. He regarded a reasonable rate which is fairly compensating for the work done, but a rate might be unreasonably low and yet be injurious to the community, more so than an unreasonably high one if the unreasonably low one fluctuates and individual in character. In spite of all the legislation which has been passed in the interim, the qualification is still one to be borne steadily in mind."

There is wisdom in the remark of a New Mexico exchange: "There is little use in directing immigration this way unless we are prepared to take care of it." It is the daily experience in Santa Fe, that people arrive with the intention of making good. They look for the free land that has been advertised and find it to be land on which they cannot raise crops without irrigation; they then ask for the big irrigation systems and discover that they are still on paper and that the federal government has tied up all the waters of the Rio Grande and its tributaries; they then ask for employment, being eager to work, and can find no factories or industries. If they have money they may go into business which is already overcrowded; or they may sit down like Micawber, waiting for something to turn up. Advertising of this section, and in the meanwhile, the local commercial organizations should get busy to make available lands, waters and employment for the homeseeker who comes here for other reasons than health or sport.

Porter Charlton who brutally murdered his wife and sunk her body in Lake Como, is excused for his deed by alienists, according to today's dispatches, because he is suffering from constitutional inferiority. Not only alienists but every physician in the course of his practice, notices this constitutional inferiority of many people. Deprived of their birthright, a clean bill of health, before birth, thousands grow up suffering from constitutional inferiority. The causes are well known to physicians, their being being loudly proclaimed even in such goody-goody family papers like the Ladies' Home Journal, but most people still shut their eyes to the law of the physical as well as the moral world, that the sins, the dissipation, the low plane of life of the fathers and the mothers shall be visited upon the children to the third and fourth generations.

The growth of real estate values in western towns is vividly demonstrated in Greeley, Colorado. A lot that in 1860, was valued at \$60, is today appraised at \$32,000 by a board of appraisers, while the owners want to charge Uncle Sam \$50,000 for it as a postoffice site. An increment of 64,000 per cent in fifty years is pretty good interest on an investment. Even here in Santa Fe, property which one day appears on the assessment rolls at \$50, is held the next day at \$1,200 when the city wants to cut a street through it.

The Cherokee, Oklahoma, Republican, no doubt intends to rebuke its own statesmen when it says: "Amid all the noise and bluster and national discontent, New Mexico has gone Republican and elected 71 Republicans and 29 Democrats to the constitutional convention. It is a safe bet that the constitution will not require a twenty mule team to haul it to the station to ship it to Washington."

The insurgents are no longer insurgents, but they are the party, both on the Republican and the Democratic sides.

NEW MEXICO VS. CANADA.

Dispatches tell of the return to the United States from Canada of thousands of disappointed farmers who went to Manitoba, Alberta, Saskatchewan and other provinces in order to make their homes, being lured by cheap lands and stories of big crops. They found that drought and severe climate played havoc with their prospects. If drought and sudden changes in temperature are an attraction, it is not necessary for any farmer to leave the United States, for they can be found at home and even in New Mexico. If free land, absence of severe winters, opportunities to succeed, are in demand then New Mexico can offer these to far greater extent than does the Dominion of Canada. Says the St. Louis Times:

"There has been so much in the public prints on the subject of the departure of the northern farmer from the United States to Canada that it is interesting to encounter a story dealing with the opposite side of the proposition.

"It may have been questioned, many times, how the American farmer has been able to adjust himself to the customs of a country which is monarchical in a remote fashion, and where the stars and stripes are given a secondary place.

"Now comes testimony from a farmer who went from Wisconsin to northern Canada, several years ago, and who has returned to his own country.

"This farmer declares that only three crops out of five on the land in question are profitable, because of droughts. This condition, he says, prevails this season; and he declares that no less than 15,000 farmers from the United States who emigrated to Alberta and Saskatchewan are either now on the way back to America, or are endeavoring to come as soon as they can do so without making too many sacrifices.

"Besides the matter of rainfall, the other difficulties include an extraordinary range of thermometer conditions. Variations in temperature include changes of 60 degrees in two hours.

"The man who longs to be on the move is not, as a rule, a very reliable witness. The new stopping place is always extravagantly praised while it is new, and unduly blamed when it ceases to be new.

"Nevertheless, it may be surmised that a majority of American farmers who have crossed the border may have found no adequate compensation for their move, and it does not seem unlikely that in a majority of cases, the pulling up of stakes means nothing more than yielding to the spirit of wanderlust."

The Tribune Citizen last evening read its party a two and a half column "Mene, mene teke!" It is trying to teach the Democratic jackass to decipher the signs of the times and incidentally confesses that the Democratic party in New Mexico is moribund, has no principles and no standing; it advises its bosses that "they must change tactics," something the New Mexican advised them long ago. It remarks incidentally that the Democratic party has been "taking it out in platitudes" although when the New Mexican during the campaign made a similar criticism it was indignantly denied by the Tribune Citizen. There is nothing so valuable as an honest confession followed by a season of introspection, both for men and political parties.

On August 1, the New Mexican published an article by Editor Claude King of Sports Afield, in which he pleads for the preservation of landmarks and the Spanish language in New Mexico. On September 17, extracts from the same article and comment on it are printed in the Literary Digest having found their way thither by way of the Chicago Inter-Ocean. It is not the first time that articles of interest, printed for the first time in the New Mexican, find a place in metropolitan papers long afterwards.

The Tulsa, Okla., World expresses surprise that the leaders of the Republican party in New Mexico "should have embraced such 'socialistic doctrine' as the initiative, referendum and direct primary." The New Mexican expresses surprise that the Tulsa World should have received such information, for nothing is further from the minds of the Republican leaders or the majority of the people of the Territory than to include the initiative, referendum and direct primary in the constitution.

Republican New Mexico has had a school for the education of its mute and deaf children. To these many years. Democratic Arizona is just awakening to its duty in that respect, and the Arizona Republican advocates the founding of such a school at Phoenix.

Considering population and wealth, there is no state in the Union which is doing more for the cause of education and for the care of its deaf, mute and blind children as is New Mexico.

The story of Kit Carson should be familiar to every school boy. He was the Path Finder whom others followed; though brave as a lion he was gentle as a woman. He lacked the traditional swagger of the frontiersman, and of him it could be truly said that he treated dogs better than some men treat men.

Secretary of the Interior Ballinger says he will not resign but will stick to his job. When it is remembered that this means a sacrifice of \$50,000 a year in attorney's fees, Mr. Ballinger's determination to stick to it is commendable for patriotism and usefulness if not for wisdom.

If you want anything on earth—try a New Mexican Want Ad.

Notice for Publication.

(013780.)
Coal Land—Jemez Forest.
Small Holding Claim No. 4372.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 5, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Mauricio Sanchez, of Cuba, N. M., for the claim 4372 in Sec. 7, T. 29 N., R. 1 W., and Sec. 12, T. 20 N., R. 2 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Vicente Sanchez, Manuel Sanchez, Sam Wiggins, Elias Sanchez, all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013802.)
Coal—Jemez Forest.
Small Holding Claim No. 1922.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 6, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Marcelino Salazar, of Cuba, N. M., for the claim 1922 in Sec. 21, T. 21 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Tranquilino Romero, Dionicio McCoy, Ciriacio C. de Baca, Reyes Ledesma, all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013768.)
Coal—Jemez Forest.
Small Holding Claim No. 5374.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 7, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Ambrosio Segura, of Senorito, N. M., for the claim 5374 in SE. 14 NW. 14, SW. 14 NE. 14, NW. 14 SE. 14 NE. 14, SW. 14 of Sec. 22, T. 20 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Noberto Garcia, Cuba, N. M.; Flavio de La O, Dionicio Lucero, Jose de Jesus Archibeque, all of Senorito, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013810.)
Coal Land—Jemez Forest.
Small Holding Claim No. 3244.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 5, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Victor Casasola, of Cuba, N. M., for the claim 3244 in Secs. 26 and 27, T. 21 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Poncelano Casados, Guadalupe Aragon, Chistobal de Herrera, Hilario Lucero all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the

Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013792.)
Coal—Jemez Forest.
Small Holding Claim No. 1305.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 5, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Jose Jeronimo Aragon, of Cuba, N. M., for the claim 1305 in Secs. 11, 12, 13 and 14, T. 21 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Antonio Salazar, Benigno Chavez, Felix Montano, Donaciano Lucero, all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013790.)
Coal—Jemez Forest.
Small Holding Claim No. 1302.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 7, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Abelina Aragon de Lucero, widow of Jose Nasario Lucero, for the claim 1302 in Secs. 20 and 21, T. 21 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

J. J. Salazar, Dionicio McCoy, E. A. Miera, Tranquilino Romero, all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

Notice for Publication.

(013815.)
Coal—Jemez Forest.
Small Holding Claim No. 3250.
Department of the Interior,
United States Land Office.

Santa Fe, N. M., Sept. 6, 1910.
Notice is hereby given that the following-named claimant has filed notice of his intention to make final proof in support of his claim under sections 16 and 17 of the act of March 3, 1891 (26 Stats., 854), as amended by the act of February 21, 1893 (27 Stats., 470), and that said proof will be made before Juan C. Sandoval, U. S. Ct. Commr., at Cuba, N. M., on October 25, 1910, viz: Pulidor Martinez, transferee of Manuel Garcia de Garcia, for the claim 3250, in Secs. 20 and 21, T. 21 N., R. 1 W., N. M. P. M.

He names the following witnesses to prove his actual continuous adverse possession of said tract for twenty years next preceding the survey of the township, viz:

Dionicio McCoy, J. J. Salazar, Tranquilino Romero, Manuel Garcia, all of Cuba, N. M.

Any person who desires to protest against the allowance of said proof, or who knows of any substantial reason under the laws and regulations of the Interior Department why such proof should not be allowed will be given an opportunity at the above-mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

MANUEL R. OTERO, Register.

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